

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED IN OPEN COURT
ON 3-10-2021
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC
JAK

NO. 5:21-cr-114-1B0(3)
NO. 5:21-cr-114-2B0(3)

UNITED STATES OF AMERICA)

v.)

INDICTMENT

MATTHEW DAVID JAMES)

a/k/a "Charlie Kennedy")

a/k/a "Frank")

LESLI RECKERT KENNEDY)

The Grand Jury charges that:

COUNT ONE

Beginning no later than in or about January 2017, the exact date being unknown to the Grand Jury, and continuing up to on or about October 21, 2020, in the Eastern District of North Carolina, and elsewhere, the defendants MATTHEW DAVID JAMES, also known as "Charlie Kennedy" and "Frank," and LESLI RECKERT KENNEDY, did knowingly and intentionally combine, conspire, confederate, agree and have a tacit understanding with each other and other persons, known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with the intent to distribute marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Controlled Substances Involved in the Conspiracy

With respect to MATTHEW DAVID JAMES, also known as "Charlie Kennedy" and "Frank," the amounts involved in the conspiracy attributable to him as a result

of his own conduct and the conduct of other conspirators reasonably foreseeable to him, is one thousand (1,000) kilograms or more of marijuana, a Schedule I Controlled Substance, violation of Title 21, United States Code, Section 841(b)(1)(A).

With respect to LESLI RECKERT KENNEDY, the amounts involved in the conspiracy attributable to her as a result of her own conduct and the conduct of other conspirators reasonably foreseeable to her, is one hundred (100) kilograms or more of marijuana, a Schedule I Controlled Substance, violation of Title 21, United States Code, Section 841(b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

ALLEGATION OF PRIOR CONVICTIONS

Before the defendant, MATTHEW DAVID JAMES, also known as "Charlie Kennedy" and "Frank," committed the offense charged in this count, he had a final conviction for a serious drug felony, namely a conviction under Title 21 United States Code Sections 841(a)(1), 841(b)(1)(B), and 846, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of commencement of the instant offense.

FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any felony violation of the Controlled Substances Act charged herein, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the said offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

The forfeitable property includes, but is not limited to, the following:

Real Property:

- a) Real property having the physical address of 27558 Redwood Highway, Cave Junction, Oregon, 97523, including any and all appurtenances and improvements thereto, being titled to OFF, LLC and legally described in document 2020-003346 of the Josephine County Official Records, Oregon, and any and all proceeds from the sale of said property
- b) Real property having the physical address of 722 Yankee Creek Road, Eagle Point, Oregon, 97524, including any and all appurtenances and improvements thereto, being titled to OFF, LLC and legally described in document 2020-007753 of the Jackson County Official Records, Oregon, and any and all proceeds from the sale of said property
- c) Real property having the physical address of 2135 Old Military Road, Central Point, Oregon, 97502, including any and all appurtenances and improvements thereto, being titled to OFF, LLC and legally described in document 2018-034416 of the Jackson County Official Records, Oregon, and any and all proceeds from the sale of said property

Personal Property:

- d) Approximately \$200,980 in United States Currency seized on May 14, 2019 from Lindsey Lewis
- e) Approximately \$347,850 in United States Currency seized on October 21, 2020 from LESLI RECKERT KENNEDY
- f) Approximately \$12,403 in United States Currency seized on October 21, 2020 from MATTHEW DAVID JAMES

- g) Approximately \$105,050 in United States Currency seized on October 23, 2020 from Greg Forkash
- h) One 2016 BGTEX Flatbed Trailer, VIN: 16VFX1828G4086506, titled to Sharon Margolis, and seized on October 21, 2020 from 27558 Redwood Highway, Cave Junction, Oregon 97523

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL:

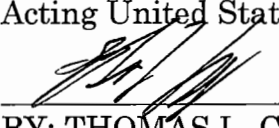
FOREPERSON

DATE: March 10, 2021

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

G. NORMAN ACKER, III
Acting United States Attorney


BY: THOMAS L. CROSBY
Assistant United States Attorney
Criminal Division